

LAURA BOHLING

RUTHERFORD COUNTY GENERAL SESSIONS COURT CLERK

101 JUDICIAL BUILDING ♦ 20 N. PUBLIC SQUARE ♦ MURFREESBORO, TENNESSEE 37130
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TO:

Ms. Banker

FROM:

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PAGES (including cover sheet) _____

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Instructions or notes:

I would appreciate
anything you can do to get
this corrected. Thank you.

2012 Legislative Fee Changes for State Court Clerks

1. Probate Estate fees were increased for small and large estate filings by \$5.00 additional clerk fee making a small estate \$41.00 (\$39.00 clerk and \$2.00 data) and large estate \$230.00 (\$228.00 clerk and \$2.00 data). Probate Notice to Creditors language also changed. These changes were effective May 9, 2012. (PC886)

Other legislative fee changes that are effective 7-1-2012:

2. Expungements cost increased to \$450.00 however split differently depending on type. Due to this, there will be 2 Expungement Fees; one for Expungement - Diversion and another for Expungement - Criminal Charge. (PC1041 & PC1103)
- Expungement - Diversion now \$450.00; this will increase the current TBI portion to 350.00 instead of \$50.00 paying directly to TBI 901 R.S. Gass Blvd., Nashville, TN 37216. Clerk will still retain \$100.00 Clerk Fee based on T.C.A. §8-21-401. Note: DOR will not be adding a line on the State lit form for TBI portion of money; it will continue to be paid directly to the TBI.

Expungement - Criminal Charge will split monies out into 3 different distributions. Note: The \$290.00 fee to Department of Revenue will be split by DOR for PD, DA and State portions. Per DOR legal staff clerks are not entitled to any clerk commission for this type of expungement; based on specific language in public chapter the clerk retains \$10.00 and the remainder pays to various agencies.

- Clerk Fee - \$110.00
 - TBI Expungement Fee- \$50.00 pay to Tn Bureau of Investigations 901 R.S. Gass Blvd., Nashville, TN 37216
 - State Expungement Fee - \$290.00 – Pay to Department of Revenue, reported on PRV414 fee report (new report line 15 being added to PRV414 with language "District Attorney/Public Defender Expungement Fund and a net fee of \$290[TCA 40-32-101]", all other lines being moved down one)
3. Clerk data fee increases on all original filings/charges to \$4.00 beginning 7-1-2012 through 6-30-2016. The \$2.00 increase shall terminate on July 1, 2016 unless continued by the general assembly. (PC1039)
 4. Sheriff Service for process in person will increase from \$20 to \$26.00; this is for items such as summons, subpoenas, etc. The service fee increase does not include those for collection processes such as garnishment, fieri facias, etc. Also, un-served process increases from \$7.00 to \$9.00 (PC1032)
 5. Victim Notification Fund Tax payable to Department of Revenue on PRV401 form increases from \$1.00 to \$3.00 in criminal courts (PC1056)
 6. Fine of \$50.00 for Reckless Driving and Reckless Endangerment was established as an over the minimum fine payable to the county trustee. This fine will be charged over and above any other fine assessed. (PC1048)
 7. Judicial Commissioner's Tax - If a county uses Judicial Commissioners/Magistrates to sign warrants, there is a new state litigation tax of \$2.00. This tax is for General Sessions Criminal Courts only payable to the Department of Revenue on report PRV401 (new report line 9 on PRV401; Criminal Charges - continuing judicial education [TCA 67-4-602(k)] (\$2.00)) and only collected in those counties that actually have judicial commissioners (PC1052)